

## Message Text

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ACTION EB-11

INFO OCT-01 AF-10 ARA-11 EA-11 EUR-25 NEA-10 RSC-01 OIC-04

ADP-00 AGR-20 CEA-02 CIAE-00 COME-00 DODE-00 FRB-02

H-02 INR-10 INT-08 L-03 LAB-06 NSAE-00 NSC-10 PA-03

AID-20 CIEP-02 SS-15 STR-08 TAR-02 TRSE-00 USIA-12

PRS-01 OMB-01 RSR-01 /212 W  
----- 108015

R 021730Z JUL 73

FM USMISSION GENEVA  
TO SECSTATE WASHDC 164  
INFO USMISSION EC BRUSSELS UNN  
AMEMBASSY BRUSSELS  
AMEMBASSY THE HAGUE  
AMEMBASSY PARIS

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EO 11652: N/A

TAGS: ETRD, GATT, EEC

SUBJ: GATT CONSIDERATION OF DISC

REF: GENEVA 2570

1. EC REP PHAN VAN PHI TOLD US THIS MORNING COMMISSION WANTS GATT COUNCIL TO DEAL AT NEXT SESSION WITH EC COMPLAINT AGAINST DISC (AND PRESUMABLY RELATED US COMPLAINTS AGAINST FRANCE, BELGIUM AND THE NETHERLANDS). PHAN SAID COMMISSION DOES NOT WANT CONFRONTATION OR " BLODSHED", BUT, JUST AS US HAS WANTED TO SHOW GATT CAN DEAL WITH US COMPLAINTS, THEY THINK IT IMPORTANT THAT GATT DEAL WITH THEIR COMPLAINT. SPECIFICALLY THEY WANT PANEL. THEY DO NOT CARE IF PANEL TAKES A LONG TIME (E.G. MEETS IN SIX MONTHS)

OR TAKES TIME TO CONSULT TAX EXPERTS, BUT DO WANT PANEL FORMED. HENCE THEY PLAN TO PRESS FOR DECISION AT NEXT MEETING,  
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WHICH ANTICIPATED (FOR TEXTILES) LATE JULY. THEY WILL INSIST

ON THEORETICALLY SEPARATE PANELS FOR THE FOUR COMPLAINTS BUT WOULD BE WILLING TO HAVE FOUR PANELS WITH SAME PERSONS. HE SAID THE ABOVE REPRESENTS WELLENSTEIN AND HIJZEN'S POSITION. HE RECONFIRMED EC WILL NOT ACCEPT WORKING PARTY (OR PANEL) WITH BROAD MANDATE.

2. IN VIEW OF US EFFORTS TO OBTAIN SETTLEMENT OF OUR COMPLAINTS MISSION BELIEVES WE SHOULD AGREE AT NEXT COUNCIL MEETING TO PANEL FOR DISC AND CONSIDERS THAT FOUR PANELS WITH IDENTICAL MEMBERSHIP WOULD BE ACCEPTABLE COMPROMISE. HOWEVER WE DO NOT BELIEVE IT WOULD BE IN OUR INTEREST TO AGREE ON CHAIRMAN OR COMPOSITION OF PANELS AT THIS STAGE AND HENCE. SUGGEST THAT COUNCIL COULD AUTHORIZE COUNCIL CHAIRMAN TO APPOINT PANEL CHAIRMAN AND MEMBERS (LATER) IN CONSULTATION WITH PARTIES AND MEMBERS. IN ORDER TO AVOID POSSIBLE PRESSURE TO AGREE ON CHAIRMAN AT OR PRIOR TO COUNCIL MEETING, SUGGEST WE NOT RESPOND TO EC FOR PRESENT BUT THAT WE BE AUTHORIZED TO TELL EC LATER IF THEY PRESS MATTER THAT WE WILL ACCEPT DECISION FOR FOUR PANELS (WITH IDENTICAL PERSONNEL) WITH CHAIRMAN TO BE DESIGNATED LATER IN CONSULTATION WITH PARITIES. PANEL COULD DISCUSS DISC FIRST BUT NOT CONCLUDE CONSIDERATION OF DISC WITHOUT CONSIDERING OTHER CASES. BASSIN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 02 JUL 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973GENEVA03272  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** GENEVA  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1973/newtext/t19730759/aaaabrco.tel  
**Line Count:** 84  
**Locator:** TEXT ON-LINE  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 73 GENEVA 2570  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** morefirh  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 19 SEP 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <19-Sep-2001 by freemaal>; APPROVED <25-Oct-2001 by morefirh>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GATT CONSIDERATION OF DISC  
**TAGS:** ETRD, GATT, EEC  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005